

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Implementation of Pay Telephone	)	CC Docket No. 96-128
Reclassification and Compensation	)	
Provisions of the Telecommunications	)	
Act of 1996	)	

**REPLY COMMENTS OF QWEST CORPORATION**

Pursuant to section 1.415 of the Federal Communications Commission's ("Commission") Rules, 47 C.F.R. § 1.415, Qwest Corporation ("Qwest") respectfully submits these reply comments in connection with the Petition of Martha Wright, *et al.* for Rulemaking or, in the Alternative, Petition to Address Referral Issues in Pending Rulemaking (Oct. 31, 2003) ("Wright Petition").<sup>1</sup>

Qwest opposes the Wright Petition for many of the reasons set forth in the comments of others. Specifically, Qwest agrees with the parties who state that the Commission should grant prison officials great deference over all aspects of inmate calling service. (AT&T Corp. Comments at 3-6, RBOC Payphone Coalition Comments at 3-7, WorldCom, Inc. d/b/a MCI Comments at 9-15.)

Further, Qwest notes that the Wright Petition is premised on the incorrect assumption that carriers' rates include a provision for site provider commissions. This is certainly not the case at Qwest. Qwest does not include site provider commissions as a component or factor in the

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<sup>1</sup> *Public Notice, Petition for Rulemaking Filed Regarding Issues Related To Inmate Calling Services Pleading Cycle Established*, DA 03-4027, rel. Dec. 31, 2003; *Public Notice*, DA 04-127, rel. Jan. 21, 2004; *Order extending comment cycle*, DA 04-268, rel. Feb. 3, 2004; *Order granting further extension*, DA 04-774, rel. Mar. 24, 2004. Comments filed Mar. 10, 2004.

development of inmate collect call rates. Consequently, eliminating site provider commissions would have no impact on Qwest's inmate collect call rate structure.

Qwest's rates are either filed with the State commissions or catalogued and, in most cases, must be approved prior to implementation. Thus, Qwest's rates are available and open for review upon request. Out of concern for Qwest's customers and the impact of the cost of collect calls on them, Qwest makes every effort to keep its inmate collect call rates as low as the costs to provision the service will allow.

Because the Commission should defer to prison officials in matters of prison security and correctional policy and because the Wright Petition is founded on the incorrect assumption that all rates include the site provider commissions, Qwest opposes the Wright Petition.

Respectfully submitted,

QWEST CORPORATION

By: Daphne Butler  
Andrew D. Crain  
Daphne Butler  
Suite 950  
607 14<sup>th</sup> Street, N.W.  
Washington, DC 20005  
(303) 672-1763

April 21, 2004

## CERTIFICATE OF SERVICE

I, Richard Grozier, do hereby certify that I have caused the foregoing **REPLY**  
**COMMENTS OF QWEST CORPORATION** to be 1) filed with the FCC via its Electronic  
Comment Filing System in CC Docket No. 96-128, 2) served, via email on Joi Nolen, Pricing  
Policy Division, Wireline Competition Bureau at [Joi.Nolen@fcc.gov](mailto:Joi.Nolen@fcc.gov), 3) served, via email on the  
FCC's duplicating contractor Qualex International, Inc. at [qualexint@aol.com](mailto:qualexint@aol.com), and 4) served via  
First Class United States mail, postage prepaid, on the parties listed on the attached service list.

Richard Grozier  
Richard Grozier

April 21, 2004

Elizabeth Alexander  
American Civil Liberties Union  
Suite 620  
733 15<sup>th</sup> Street, N.W.  
Washington, DC 20005

Roderic V.O. Boggs  
Washington Lawyers' Committee  
for Civil Rights and Urban Affairs  
Suite 400  
11 Dupont Circle, N.W.  
Washington, DC 20036

Laura K. Abel  
Patricia Allard  
Kirsten D. Levingston  
Kele Williams  
Brennan Center for Justice at New York  
University School of Law  
12<sup>th</sup> Floor  
161 Avenue of the Americas  
New York, NY 10013

Lawrence J. Lafaro  
Stephen C. Garavito  
Martha Lewis Marcus  
AT&T Corp.  
One AT&T Way  
Bedminster, NJ 07921

Charles Sullivan  
Kay Perry  
Citizens United for Rehabilitation  
of Errants  
POB 2310  
Washington, DC 20013

Aaron M. Panner.....RBOC Coalition  
Kellogg, Huber, Hansen,  
Todd & Evans, PLLC  
Suite 400  
1615 M Street, N.W.  
Washington, DC 20036

Larry Fenster  
Kecia Boney Lewis  
WorldCom, Inc., d/b/a MCI  
1133 19<sup>th</sup> Street, N.W.  
Washington, DC 20036

Andrew D. Lipman.....Private Correctional Org  
Kathy L. Cooper  
Kathleen G. Ramsey  
Swidler Berlin Shereff Friedman, LLP  
Suite 300  
3000 K Street, N.W.  
Washington, DC 20007

Mark D. Schneider.....Corrections Corp. of America  
Anita L. Wallgren  
Sidley Austin Brown & Wood LLP  
1501 K Street, N.W.  
Washington, DC 20005

Paul C. Besozzi.....Evercom Systems  
Patton Boggs LLP  
2550 M Street, N.W.  
Washington, DC 20037

Glenn B. Manishin.....T-Netix, Inc.  
Stephanie A. Joyce  
Kelley Drye & Warren LLP  
Suite 500  
1200 19<sup>th</sup> Street, N.W.  
Washington, DC 20036

Stephen A. Young  
Ohio Department of Rehabilitation  
and Correction  
Suite 207  
1050 Freeway Drive North  
Columbus, OH 43229

Deborah M. Golden  
D.C. Prisoners' Legal Services Project, Inc.  
Suite 225  
2639 Connecticut Avenue, N.W.  
Washington, DC 20008

Stephen G. Seliger.....D.C. Prisoners  
Laurie S. Elkin  
Seliger & Elkin, Ltd.  
Suite 500  
155 North Michigan Avenue  
Chicago, IL 60601

Barbara J. Olshansky  
Center for Constitutional Rights  
7<sup>th</sup> Floor  
666 Broadway  
New York, NY 10012

Cheryl A. Tritt.....Center for Constitutional Rights  
Frank W. Krogh  
Jennifer L. Kostyu  
Morrison & Foerster, LLP  
Suite 5500  
2000 Pennsylvania Avenue, N.W.  
Washington, DC 20006

David C. Bergmann  
Ohio Consumers' Counsel  
Suite 1800  
10 West Broad Street  
Columbus, OH 43215-3485

Elizabeth A. Noël  
Joy M. Ragsdale  
Office of the People's Counsel  
for the District of Columbia  
Suite 500  
1133 15<sup>th</sup> Street, N.W.  
Washington, DC 20005-2710

Gerald A. Norlander  
Public Utility Law Project  
Suite 601  
90 State Street  
Albany, NY 12207

NASUCA  
Suite 101  
8300 Colesville Road  
Silver Spring, MD 20910